



DEPARTMENT OF HEALTH & HUMAN SERVICES
PUBLIC HEALTH SERVICE
FOOD AND DRUG ADMINISTRATION

3/26/98
d14836
PHILADELPHIA DISTRICT

900 U.S. Customhouse
2nd and Chestnut Streets
Philadelphia, PA 19106
Telephone: 215-597-4390

WARNING LETTER

98-PHI-18

March 17, 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. R. Adam McBride, Executive Director
Diamond State Port Corporation
P.O. Box 1191
Wilmington, Delaware 19899

GEN.	SPEC.
RELEASE	
F# _____	DATE 3/17/98
Reviewed by: <i>[Signature]</i>	

Dear Mr. McBride:

On February 19, 20, and 24, 1998, Investigator Gerald W. Kopp conducted an inspection of the Diamond State Port Corporation vessel watering point which is operated under the jurisdiction of the Port of Wilmington. A list of Inspectional Observations (FDA-483) and Inspectional Summary (FDA 2521) was issued and discussed with Michael D. Sprague, Director, Planning and Development on February 24, 1998. A copy of these reports are enclosed for your reference. Inspectional findings indicate that the facility is being operated under conditions which are, or may contribute to, violations of the US Public Health Service Act (the Act) and implementing regulations, as follows:

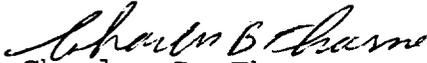
1. Potable water hydrant #3, equipped with an adapter for slip hose to dispense potable water, did not have a back-flow prevention device in place.
2. Potable water hydrant #'s 1, 2, 3, 5, 6, 7, and 9 either lacked a cap, cap keeper chain, or the cap was not in place while the hydrants were not in use.
3. Potable water hydrant #2 (in-ground) has water entering the pit from an unknown source.
4. Potable water hydrants #4 and #7 are not properly identified.
5. The portable back-flow prevention device, for use on potable water hydrants, did not have the inlets and outlets capped when not in use and was stored with non-food equipment and supplies.

Page 2
R. Adam McBride
March 17, 1998

6. The pit containing the in-line back flow preventer and other utilities on the service pipe for potable water hydrant #2 was covered by unclean water.
7. Litter and refuse was observed in close proximity to potable water hydrant #3.
8. The hose used to fill pier wash trucks from potable water hydrants was stored on the ground and lacked hose bibs and caps.
9. There is an unsanitary restroom facility near vessel watering points.
10. There was trash, refuse and residual foreign material observed in proximity to potable water hydrants.

Review of the inspectional history for this facility reveals that during the inspection of July 30, 1997, similar critical deviations were cited for items 1, 3, 4 and 6 noted above. In view of these ongoing conditions, we are classifying the facility as Not Approved and thus unacceptable for use by interstate carriers. We request that you inform this office of corrections to be undertaken, and include a timetable for the implementation of the corrections. Your reply should be directed to Lynn S. Bonner, Compliance Officer, at the address shown above.

Sincerely yours


Charles B. Thorne
Acting District Director
Philadelphia District

Enclosure(s)
LSB